



A DECLARATION

Of the COMMISSION of the GENERALL
ASSEMBLY, to this whole Kirk and King-
dome, concerning the present publike
proceedings towards an engagement
in VVarre, so far as Religion is
therein concerned.

Signed A. Ker



OD only wise, who is *wonderful in counsel*
and excellent in working, whose thoughts
are not like mens thoughts, nor his wayes
like mens wayes; Who sometimes by
weak and unlikely meanes, and often by
contrary meanes, useth to work out the
greatest works of his glory, and the greatest salvation to his
people: After he had broken the Egyptian Antichristian
yoke, first in this, then in the neighbour-Kingdome, *with a*
mighty hand and a stretched-out arm; and had also brought us
through a Red sea of a bloody opposition and Warre; yea,
after we were near the wished-for Reformation and Peace,
He hath again reduced us to such extreme difficulties and
dangers, as makes many in their haste apt to wish they had
not come out of Egypt, or that they were returned thither

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again. How great and how many soever our dangers be, *The Lord is righteous in all his wayes, and holy in all his works,* and he hath *punished us lesse then our iniquities deserve.* Among many other provocations, that of Sinfull compliance is one, which the present judgements of God in both Kingdoms do more especially and more distinctly proclaim and speak out (*Eccho-wise*) unto us. *Sectaries* in the one hand, and *Malignants* in both, were so much connived at and complied with, that God hath most justly made them on both sides to be thorns and scourges to these that cherished them when they should have suppressed them. But as we will beare the *indignation of the Lord, because we have sinned against him*: So we encourage our selves in our God, and trust, that when he hath humbled and proved his people, he will do them good in their latter end. Blessed are they that wait for him, and live by faith, and keep their garments clean, for they shall see the good of *Jerusalem, and peace upon Israel.* Yea, God shall work so much good out of all the greatest evils which now afflict them, that they shall say in end, We had perished, unless we had perished; and the work of God had not been done, if it had not been undone.

It is one door of hope to us, that God hath raised up the spirits of many of his servants in divers places and Provinces of *England*, to joyn together in witnessing a good confession, and giving a fair publike Testimony for the Truth of Christ, for the Covenant, for the Presbyteriall Government, and against that abominable Toleration of most dangerous Errors, Heresies and Schismes. These *Testimonies* we have seen to our great joy and comfort, and have been much refreshed thereby; trusting, that so many publike Testimonies as have been given in both Kingdoms for the Covenant, and against the Toleration of Heresie or Schisme, shall not be in vain, but that God shall lay open those that resist the Truth, so as they shall proceed no further, but their folly shall be made manifest unto
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all men. And we not doubt, but that such shoutings shall be heard among the Churches of Christ: Shame, shame upon the way of the Sectaries! Grace, grace upon that Covenant and Reformation which the Sectaries opposed!

Our present work is at home, To give an Antidote against these Malignant designs now brought to so much maturity: and withall to clear our own late Proceedings, which some are not content to misunderstand, except they also misrepresent them to as many others as they can; yea, some are so skilfull in coyning, others so bold in outing, and a third sort so weak and simple in believing lies & calumnies, that every conscientious man hath cause to pray at this time, *Deliver my soul, O Lord, from lying lips and from a deceitfull tongue.*

That we may therefore lay more open the truth of matters, we shall not now so far run the back-trade, as to insist upon the rise and progresse of these present evils, nor upon the grounds of our former feares and apprehensions of dangerous and malignant designs heretofore on foot: It shall be sufficient at this time to make known the late passages, since we received His Majesties Letter dated at *Carisbrook-Castle, Decemb. 27. 1647.* together with a Narrative in writing of His Majesties concessions and offers concerning Religion, and what His Majesty is content to do for this Kingdome (*upon a good agreement*) under which expression we know not how much may be comprehended. That Letter and Narrative, together with the reports which then this Kingdome was full of, That his Majesty had given satisfaction to the publike desires concerning the Covenant and Religion (thereby to make the people secure, and the better to animate them unto an engagement in His Majesties quarrell) did minister occasion to our late *Declaration*, which although extremely opposed and maligned by such as found their projects thereby crossed, yet hath found such generall and good acceptance in this Kirk of *Scotland*, that we have
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already received not only from divers Presbyteries, but from the most part of the Provinciaall Synods, most affectionate Letters of thanks for the same; as namely from the Provinciaall of *Lothian* and *Tweeddale*, *Fyffe*, *Mense*, and *Tiviotdail*, *Perth* and *Stirling*, *Angus* and *Mernes*, *Glasgow* and *Air*, *Dumfries*, *Galloway*, and *Aberdeen*: And we doubt not but that the few other Provincials would have done the like, but that being in more remote places, they had not the opportunity to be so soon acquainted with the condition of public affairs.

Not long after the emitting of that Declaration, we were desired, upon the 15. of *March*, by the Committee of Parliament to appoint some of our number to conferre with their Lordships, which we did: But upon the 17. of that moneth, understanding that a Vote had past in Parliament upon the 16. concerning *Berwick* and *Carlisle*, (which Vote as it was dissented from and protested against by divers Members of Parliament who have been most zealous and constant since the beginning, so we conceived to be a predetermining of the subject of the Conference, and to be of exceeding dangerous consequence to the cause of God and ends of the Covenant) We were thereupon discouraged from entertaining that Conference, and so resolved to delay it till we should give further Order to those of our Number appointed on the Conference.

After this, upon the 22. of *March*, we did, for our own exoneration, and for a clear understanding between the Honourable Court of Parliament and us, represent to their Lordships, 8 humble Desires: whereupon the same day we were invited to a new Conference with some of their Lords: which did not produce the wished effect and satisfaction which we were waiting for. Upon the 28. of *March* we received the Parliaments answers to our eight Desires, which leaving us still unsatisfied, did occasion our Humble Representation of *March* 29. whereunto we received no other answer,

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swer, but a desire of Parliament sent us the next day, for a conference upon our said Desires, and the Parliaments answer thereunto, and also upon the state of the Question and whole matter. But as we were willing to conferre upon our 8 desires, and the unsatisfactorines of the Parliaments answers thereunto, so till we should receive a cleer and reall satisfaction to these our desires, we declined a Conference upon the state of a Question for Warre, for the grounds and reasons expressed in our Paper of the 30. of *March*, and did accordingly give order to those of our number appointed to conferre. But the power given to the Committee of Parliament, containing nothing of further satisfaction to be given to our desires, that their Conference (after some time spent in debates) proved no lesse ineffectuall then the former two.

Upon the 11. of *April*, It was Ordered by the Parliament, that the demand concerning Religion, thought fit by their Lords to be sent to the Parliament of *England*, should be communicate unto us: whereunto we returned an answer by our Paper of the 13. of that moneth. And that we might leave no means unessayed for satisfaction in those particulars, (wherein most part of the Provinciaall Synods hath joyned with us in supplications to the Parliament) without which, many others, as well as our selves, could not be satisfied in conscience to concurre in the Engagement) We did by our Petition of the 18. further insist with their Lordships in all humility and earnestnesse for satisfaction to our desires, and to be cleared upon the whole matter. Unto all which we have received no other answers for the satisfaction of our consciences, but the Paper delivered in to us from the Parliament upon the 20. of *April*, together with their Lordships *Declaration*, unto which we were remitted for satisfaction in most things we had desired. But how great reason we have to be still unsatisfied, will appear by our Answer to their Lordships Paper of the 20. of *April*, and by our humble *Representation* upon the *Declaration* it self, expressing more fully our sense of the whole matter: & although

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we might have justly desired some weeks for deliberation about an answer to so large and so premeditate a Declaration concerning things of so high a nature, yet we made such haste, that our *Representation* thereupon was fully agreed and concluded among us upon the eight day after we received the *Declaration* it self.

If the Honorable Estates of Parliament had been pleased to delay the sending away of their Demands to *England*, and the publishing their *Declaration* to this Kingdom, till they had received and considered our Humble *Representation* thereupon, We know not but it might have, by the blessing of God, conduced much to the preventing of great & sad inconveniences. But now their Lordships *Declaration* being emitted as it is, we have too much cause to feare, that the Malignant party shall make use of it to the ensnaring of many, unless timely warning and information be given them. For our part, it hath been our endeavour (which we are confident is desired with us by all the well-affected both in Church and State) that there may be no rupture in this Nation, but a firm union & conjunction upon the first principles & grounds of engaging in this Cause. And as we have not been tenacious of words, but of things, nor of any other things but such as highly concern the glory of God, solemn Covenants, and the good, safety, and security of Religion: so we shall be blamelesse before God, angels and men, of all the evils, distractions and confusions, which may follow upon or be occasioned by the not satisfying of so just and necessary desires.

And now for the result of the whole busines: As we were before, and still are ready to consent and agree to the engaging and acting in war, if we were satisfied in our consciences concerning the grounds of undertaking, and the means and wayes of prosecuting the same, and concerning the other particulars contained in our Papers presented to the Parliament: So not being satisfied in those, and looking upon the War as it is now stated, matters standing as they do, and the whole complexe busines

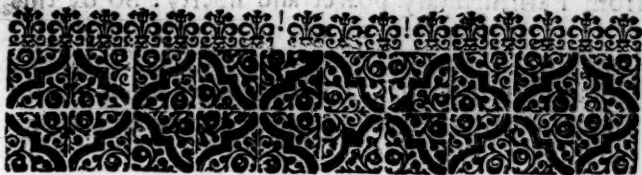
busines taken together, We cannot but (with all dutiful respect and honour both to His Majesty and to the Estates of Parliament) plainly dissent and differ from the same, being so far from a cleer satisfaction in our consciences concerning the lawfulnessse and necessity of a War, upon the grounds and in the manner expressed in the Declaration of Parliament, that contrariwise we are cleerly perswaded in our consciences, it is an Engagement of most dangerous consequence to the true reformed Religion, both in Doctrine, Discipline, Worship and Government, prejudiciall to the due interest and liberty of the Kirk; favourable and advantagious to the Popish, Prelaticall, and Malignant party; inconsistent with the union of the Kingdom, and the satisfaction of the Presbyterian party in *England*; and therefore contrary to the Word of God, to the Solemn Covenants, first Principles and publike Professions of this Kirk and Kingdom, and a remedy worse then the disease, and a course whereupon we cannot expect a blessing from God. For which reasons (expressed more fully and particularly in our humble Representation upon the late Declaration of Parliament) we cannot in our consciences allow either Ministers in their places and callings, or any others whatsoever, to concurre and cooperate in the Engagement: but trust, that all that have in them true tenderneesse of conscience, and tremble at the Word of God, will by his grace and assistance keep themselves unspeckled and free in this busines, and will chooseth affliction rather then iniquity, and take their hazard of suffering rather then of sin, believing that the wrath of man shall turn to the praise of God, and *the remainder of wrath He will restrain.*

We know there is much zeal pretended for the ends of the Covenant, uniformity of Religion, suppression of Sectaries, and the like: But the more pretence be made of Religious ends, the Malignant designs varnished and painted therewith are unto God and good men so much the more hatefull: Doth the same fountain send forth both sweet water and bitter? Or how can true zeal against Sectaries, lodge in one breast with zeal for Malignants? Besides, if Religion and the Glory of
God.

God be now chiefly aimed at, what meaneth the refusing of that satisfaction and security which hath been desired for Religion? And if there be ~~no~~ such zeal against Sectaries in the Engagement, what meant it, that not long ago, when the dangers of the true reformed Religion in this Kirk, from the prevalent party of Sectaries in *England*, were remonstrat by us to the honourable Committee of Estates; it was pleaded by some, who now are most active and forward for an Engagement, that this Kirk and Kingdom was in no such danger from the Sectaries in *England* and the Army there, as might be any cause of not disbanding the Army in this Kingdome. And is this candid or fair dealing, to extenuat or elevat dangers from Sectaries, so as may best serve mens present busines? Or if the design at that time, was so to disband that Army, as to make up another of their own modelling, why was this so much disclaimed, when mentioned among our fears & apprehensions in our Remonstrance, *Octob. 13*? however it seems the thing then suspected is now begun to be acted, & it is too apparent that our former fears were not without some real ground.

As to any calumnies or aspersions cast upon our proceedings by malignant and disaffected persons: As our consciences before God, so the very course of our proceedings before men doth cleerly wipe them off. And because we have here only summarily pointed at things, we shall for the cleerer understanding of all, refer to the several Papers themselves herewithall published and made known to all the people of God in this Land, that they may *prove all things, and hold fast that which is good*. We do not doubt but upon a serious search into the particulars, all that do ingenuously seek after satisfaction shall find it: And as it will appear by the particular Papers, that we have not medled with Civil busineses, but only with such things as mee-ly concern the safety and security of Religion; So we leave it to the consciences of all the well-affected in the Land, whether they will give more credit and belief to the professions and informations of such as were strangers & enemies to the work and cause of God in the beginning, or of those who have given constant and real proof of their integrity in this cause from the beginning? We trust, God will discover more & more the mystery of Malignancy now so strongly working; manifest the innocency & sincerity of his servants; deliver his people out of the present snares, and guide them in a right and safe way; which afterwards shalbe no grief of heart, but matter of peace and comfort unto them.

A. K. E. R.



The PARLIAMENTS Answer to
the Declaration of the Commission
of the General Assembly of the
1. of March.

9. Martii, 1648.

The Declaration of the Commission of the Generall Assembly produced by Mr. Robert Dowglas accompanied with divers of the Ministry and Ruling Elders, read in audience of the Parliament.

THE Estates of Parliament acknowledge, and takes well the continuance of their correspondence in communicating this counsell or advise to the Parliament; and remits the same to be considered in their severall bodies: But the Parliament desires in the mean time, till the return of their answer (which they will do with all possible speed) that the Commissioners of the Church would take no course for publishing or divulging the same. And declares that as they conceive, this offer of Counsell from the Church to the Parliament, doth not derogate

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from Parliamentary power and liberty: So by this delay or answer they do not meane any wayes to intrench upon the priviledge due to the Church or Commission thereof: Their intention being meerly for preservation of unity and good correspondence betwixt them. *Extractum.*

Alex: Gibson, Cler: *Regist.*

Answer of the Commission of the General Assembly to the Parliaments Paper of the 9. of *March.*

Edinburgh 10. Martii, 1648.

THE Commission of the Generall Assembly, having this day received under the hand of the Clerk Register, the desire of the Honourable Court of Parliament concerning their Declaration presented to their Honours yesterday.

Do humbly return this Answer,

AS we acknowledge it to be a great favour that the Honourable Estates of Parliament do take well the continuance of our correspondence, in communicating our Counsell and Advise to their Honours; and that they profess their intention for preservation of Unity,

nity, and good correspondence betwixt their Lordships and Us, without intrinching any wayes upon the priviledge and liberties of the Kirk. So we are necessitat humbly to represent to their Honours, that their desire to us (to take no course for publishing or divulging the said Declaration till the return of their Answer) is such that this Kirk hath not been formerly acquainted with the like: Neither can we be answerable to the trust put upon us by God, and the General Assembly, if we neglect or delay to emit and publish this Declaration, unlesse we had assurance (which we have not) that there should be no danger to the cause by the delay: Otherwise we come under great guiltiness, if we neglect to give timous and due warning not onely to their Honours, but also to the whole Kingdom, as God requires of Watchmen in time of evident danger: Which made us, as before in like cases we have done, to resolve upon the Printing of the said Declaration before we knew anything of their Honours desire for not publishing it.

Thus having exonerated our own Consciences, We humbly desire their Honours to rest confident; that as we are carefull to keep the liberty of the Kirk, so we shall be most unwilling to give to their Honours any cause of offence.

A. Ker.

*The Dissent and Protestation of some
Members of Parliament, upon the
Vote of Parliament of the 16. March,
concerning Berwick and Carlile.*

WHereas we have earnestly desired and pressed that no power be granted to any Committee to do, act, or order any thing which may ingage this Kingdom in a War, before the Parliament resolve on a War, and state the cause and the ends thereof: It being in our judgement, neither agreeable to the Oath of Parliament, and tenour of Commissions from Shires and Burghs, nor to the act of Parliament, 1640. against the Lords of the Articles, it being also of dangerous preparative, and much derogatory to the Liberties of the Kingdoms and Priviledges of Parliament: And most of all it being of exceeding dangerous consequence to the cause of God, and the Ends of our Solemn League and Covenant; We do therefore dissent from the granting of any such power; And do Protest, that we may not be included in any such Vote or Resolution, but may be free before God and man of all the guiltinesse, prejudices and evils that may follow thereupon, to the Cause, Covenant and Religion, to the Kings Person and Authority, to this Kirk and Kingdom, or to the Vnion betwixt the Kingdoms.

Edinburgh 22. Martii, 1648.

TO THE
 RIGHT HONOURABLE
 The ESTATES of
 PARLIAMENT,
 THE

Humble Desires of the Commissioners
 of the Generall Assembly.

W Hereas we were desired to appoint a conference with some of your Lordships which did go on towards an agreement, till it was obstructed by a Vote of Parliament of the 16. of this instant; And having already shown by our Papers of the 17. and 20. the reasons of our not proceeding in that conference, and that the cause was not in us: We do now as the servants of *Iesus Christ*, for our own exoneration, for preventing of mistakes, and for a clear understanding between your Lordships and us, represent these our humble desires which we recommend to your Lordships serious thoughts.

I.

That the grounds and causes of undertaking a War may be cleared to be so just, as that all who are well affected may be satisfied in the lawfulness and necessity of the ingagement, and that nothing be acted in reference to a War, before the lawfulness of the War and state of the Question be agreed upon.

II. That

II.

That as the breaches of the Covenant by the prevalent party of Sectaries are evident, so we desire and hope, that according to the Treaty it may be condiscended upon, and declared by the Parliament, what are those breaches of Peace which they take to be a ground of War, and that reparation thereof may be sought.

III.

That there may be no such quarrell or ground of the War as may break the Vnion between the Kingdoms, or may discourage or disoblige the Presbyterian party in *England* who continue firme in adhering to the League and Covenant.

IV.

That if the Popish, Prelatical, or Malignant party shall again rise in Armes, This Nation and their Armies may be so far from Joyning or associating with them, that on the contrary they may oppose them, and endeavour to suppress them, as enemies to this Cause and Covenant on the one hand, as well as Sectaries on the other.

V.

Seeing your Lordships undertaking should be in the first place for Religion; We desire that his Majesties late Concessions, and offers concerning Religion, as they have been by the Church, so may be by the Parliament declared unsatisfactory, whereby your Lordships may give further evidence of the reality of your intentions for the good and safety of Religion.

VI.

VI.

That your Lordships may be pleased not to fix or settle upon any such state of a Question, as doth not contain security to be had from his Majestie by his Solemn Oath under his hand and seal, That he shall for Himself and his Successors, consent and agree to Acts of Parliament enjoyning the League and Covenant, and fully establishing Presbyterian Government, Directory of Worship, and Confession of Faith in all his Majesties Dominions, and that his Majestie shall never make opposition to any of these, or endeavour any change thereof: And that this security be had from his Majestie before his Restitution to the exercise of his Royall power, Which desire we propone for no other end, but because we cannot see how Religion, which hath been, and we trust shall be, the principall end of all the undertakings of this Nation, can be otherwise secured, but that without this security, it shall be left in very great hazard.

VII.

That for the same end of securing Religion (which is professed to be the principall cause of engagement) and for securing all other ends of the Covenant, such persons only may be intrusted by your Lordships to be of your Committees and Armies, as have given constant proof of their integrity and faithfulness in this Cause, and against whom there is no just cause of exception or jealousy; That so we may the more confidently

fidently encourage our Flocks, and Congregations to follow the Cause of God in ~~their~~ hands, and not to doubt of the fidelity of those who shall be entrusted by your Lordships.

VIII.

That there may be no engagement without a Solemn Oath, wherein the Church may have the same interest which they had in the Solemn League and Covenant, the Cause being the same.

All which desires being duely pondered by your Lordships in an equall balance, will we trust be found just and necessary, and do not doubt but satisfaction from your Lordships therein may be a happy and effectuall means, for facilitating the state of the Question, and for uniting this Nation in an unanimous undertaking of such duties, as are requisite for the Reformation and defence of Religion, the Honour and Happinesse of the King, the Peace and Safety of the Kingdoms.

A. Ker.

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Edinb. 6. Junii, 1648.

The humble

VINDICATION
OF THE
COMMISSIONERS
OF THE
GENERAL ASSEMBLY
AND

Their late Proceedings, in Answer to
the LETTER of the High and Honourable
Court of PARLIAMENT, dated *May 11.* to
the several Presbyteries in the Kingdom.

ALthough we doubt not but the particular Presbyteries will sufficiently return answer to the Parliaments Letter so far as concerneth them, (wherein divers Presbyteries have already given example to the rest) yet the chief purposes of that Letter reflecting all along upon our late proceedings, and the Letter being also Printed and published for common view and use; The great trust put upon us will not allow us to be silent in such a case. And the greater cause we have to vindicate our proceedings in this manner, because whilst we had just reason to expect from the Parliament a clear and reall satisfaction to our desires, seconded by so many Provinciall Synods, instead of
such

such satisfaction, that Letter came abroad with many reflections upon our proceedings, neither was any thing hereof communicat or made known from their Lordships to us, that we might have been heard for clearing our own actions before the divulging and spreading abroad of the Letter.

To the Preface of the Letter we answer, that as it is too manifest how many and great scandals are thrown upon us and our proceedings by the favourers of Malignants and haters of Reformation and Presbyteriall Government; So we know not either among our selves, or in any Assemblies of the Church of *Scotland* any favourers of Sectaries, or haters of the Person of the King and of Monarchicall Government, who throw scandals upon the Parliaments actions; And if any shall by sufficient proof discover any such in this Kingdom, it will quickly appear how far the Assemblies of this Church (and we for our part) shal be from conniving at them or bearing with them: Yea the General Assembly and Commissioners have already declared so much, and so often both for the preservation of Monarchical Government in his Majesty and his posterity, and against Sectaries. And there hath been also so long and real proof both of the loyalty of this Reformed Church of *Scotland* to his Majesties Father and to himself, and of zeal in executing Church Discipline against Sectaries (wherever any were found) that the world may bear witness with our Consciences of our integrity both in the one and in the other, although we should altogether hold our peace. Error will sooner comply with error then truth can, and favourers of Malignants have been and may

may again turn to be favourers of Sectaries, to serve their turn and save their interest for the time. For our part as we did before so we do still clearly and ingeniously professe that we look upon Sectaries and Malignants as enemies to be opposed, as rocks to be avoided on the right and left hands.

We see no cause why the several Presbyteries need to be ~~convinced~~ as they will answer to the great God not to suffer themselves to be possessed with unjust and undeserved prejudices against the Parliament & their proceedings; The fear of God, and conscience of their duty will keep them upon the one hand from unjust and undeserved prejudices against their Lordships and their proceedings, and upon the other hand from obeying unjust Decrees, and complying with iniquity altho established by a Law.

What their Lordships professe concerning their preferring of no earthly thing to their duties for Religion, and concerning their reall endeavours to satisfie the most tender consciences by their Lordships great compliance with our many desires; All this we leave to the searcher of the hearts, and tryer of the reins, who can and will judge thereof: This we can say for our selves, that to this day, we have not received a satisfactory Answer from their Lordships unto any one of our desires presented to their Lordships for the safety and security of Religion, but under colour of yielding somewhat, our desires were more dangerously refused, then if they had been flatly rejected.

If that which followeth in the Letter hold good, viz. *That it cannot be by any with truth and justice alledged that their Lordships have in the least measure wronged*

conjured

or violated the true Priviledges and Liberties of the Church, we are greatly to be blamed and censured for complaining in one of our Papers to the Parliament that their Lordships have very much prejudiced the true priviledges and liberties of this Kirk, and for protesting (upon that occasion) against such preparatives, and for preservation of the liberties of the Kirk in time coming. But now how much truth and justice we had for the ground of our grievance and protestation, all who will not shut their eyes against the clear light may easily understand. For was it ever before heard or known, that any Parliament of this Kingdom did without the knowledge and consent of those who had for the time the trust of the publick affairs of the Kirk, determine, judge and declare, by an antecedent judgement, matters so highly concerning Religion, as these contained in the Parliaments late Declaration. Wherein there are not only dangerous expressions concerning the Confession of Faith, Directory of Worship, and Presbyterian Government (as we have particularly instanced in our late Declaration) but likewise in the close a strange and new sence put upon the Covenant and acts of General Assemblies, without so much as first consulting us concerning such a sence thereof, which might have been prevented if they had consulted us therein: Notwithstanding of all which the Declaration being communicat to us from the High and Honourable Court of Parliament, and we having promised a speedy return thereto; which accordingly after eight days we performed, (the matter being copious) the Declaration was ordered by the Parliament to be printed, and the three demands contained therein sent away

away to *England* without staying a little for our Answer (which we had let them know we were preparing) whereas a very short delay might have by the blessing of God brought unto their Lordships more light, and matter of second thoughts.

We can as easily acquit our selves of any incroachments upon the unquestionable Rights of Parliament. We are obliged by Solemn Covenant to endeavour the preservation of the Rights and Priviledges of Parliament; And to encroach upon the same were indeed a hainous crime, wherewith if any shall reproach us, let them take heed what the ninth Command will exact of them: yet they who will remember how in all ages, the most faithfull servants of God have usually been traduced as troublers of, and encroachers upon the Rights of the Civill Magistrate, will not much marvel that what hath been is now.

As to the three instances mentioned in the Letter, to prove that great encroachments are made upon their Lordships unquestionable Rights. First it is said, *what can be more civill then to determine what Civill duties we ought to pay to our King, or what Civill powers he ought to be possessed of?* We ask again whether in our late conferences with their Lordships concerning an engagement in War, there was any thing more proper to be insisted upon by us, then the securing of Religion before all worldly interests, and particularly, that security may be had from his Majestie for the point of Religion before his restitution to the exercise of his Royall power: Must not duties to God (whereof the securing

curing of Religion is a main one) have the supream and first place, duties to the King a subordinate and second place. Next as we have not determined what civill duties the Parliament ought to pay to the King, or what civill powers he ought to be possessed of, and as it is competent to the Parliament to Judge of Civil duties between the King and his People, in their own way; so can we not admit that it is proper and competent only to them to judge of those duties; for the duties of the second table as wel as of the first, as namely, the duties between King and Subject, Parents and children, Husbonds and Wives, Masters and servants and the like, being contained in, and to be taught and cleared from the Word of God, are in that respect and so far as concerneth the point of conscience a subject of Ministeriall Doctrine, and in difficult cases a subject of cognizance, and judgement to the Assemblies of the Kirk. And here it is not to be passed that the Kirk of Scotland in the large Confession of Faith, ratified by Acts of Parliament, did long since determine the duties of the Kings and Subjects, The like whereof may be seen in the other Confessions of Faith of other Reformed Churches.

Secondly, whereas it is said, *Is there any other Authority in this Kingdom but that of the Parliament, and what flows from them, that can pretend Authoritative power in the choice of the Instruments and Managers of their publike Resolutions?* We humbly ask, is there any Ecclesiasticall Authority within this Kingdom that hath pretended or doth pretend to such a power? for we know no such thing. An Authoritative power
and

and choice of the Instruments to be entrusted in Committees of Parliament and Armies, doth not belong unto us but unto the Parliament. Nevertheſſe it was very competent for us among other things requiſite for the ſafety and ſecurity of Religion and our Solemn Covenant, to repreſent to the Parliament the Qualifications which we judged from Gods word to be neceſſary in ſuch as are entrusted with the managing of ſo great Affairs, and ſo highly concerning our Religion and Conſciences; Which have had the more reaſon to inſiſt upon, for our own and others ſatisfaction, we being deſired to joyn and concur in the buſineſſe. Suppose a Miniſter preaching before the Election of Magiſtrates (which is uſuall) and ſhewing from the Word of God the Qualifications requiſite in Magiſtrates and that none ought to be choſen but ſuch as are ſo and ſo qualified; who will challenge ſuch a Miniſter of aſſuming the Authoritative power of chooſing Magiſtrates? And if the chooſing of particular Magiſtrates in Cities and Burghs contrary to the Rules and Qualifications of the Word, be ſinfull and blame-worthie, how much more the committing of ſo great a publick truſt in Committees and Armies to divers not Qualified with the neceſſary Qualifications.

To the third Inſtance, which asketh, *Is it a ſubject for the Diſpute of Church Judicatories, whether his Maieſtie hath a Negative voice in Parliament, or not?* We answer, ſo far as the Scriptures of the Old or New Teſtament hold forth any light to us, what Power is due, and what is not due to Kings, it well agreeth

agreeth with our places and callings, to communicate such light to others as we see need. We know no Church Judicatorie that hath disputed whether his Majestie hath a negative voice in Parliament; but we had just reason to supplicate the Parliament that they might not interest themselves in any quarrell for his Majesties Negative voice, because of the great dangers which may thereby come to Religion, not onely by future disappointments of the so much desired settlement of Church affairs, but by quarrelling the Solemn League and Covenant it self, and the begun Reformation and Uniformity in Religion which hath been purchased with so much pains, hazards, losses and sufferings.

And now we shall take all these three instances joyntly, and make this further answer to them all. First, although the points had been meerly civill, yet by the Confession of Faith agreed upon by the Assembly of Divines at *Westminster* and approved by the Generall Assembly of the Church of *Scotland* as sound and Orthodox as the Act more particularly beareth, we are allowed to apply our selves to the Parliament by way of humble supplication even in Civill matters, The Parliament also having in their Declaration expressed their desires and resolutions, that the said Confession of Faith be confirmed and established, have upon the matter allowed us to supplicate their Lordships concerning such things. Next we say, that in all the three instances which are given, our supplications and desires were to avert what we justly conceived to be destructive to Religion: We hope no man will have the

the face to say that the Assemblies of the Church may supplicat against dangers of Religion which fall within the first table, but not against dangers of Religion which fall within the second Table, or that they may supplicat against dangers of Religion arising from other men, but not against dangers of Religion in which his Majesty is any way concerned, or which flow from a bad choice of the Instruments and managers of publick resolutions.

The Episcopall disease of meddling with Civill affairs we trust through Gods mercy neither hath nor shall have any place among the Ministry of this Kingdom, who by their Nationall Covenant abjured the Civill places and power of Kirk-men. Only we shall desire it may be remembered that there were other Episcopall diseases and distempers beside this, as namely, encroaching upon the liberties and priviledges of Ecclesiasticall Assemblies; the forcing of the consciences of Gods people, and persecuting such who could not in conscience obey. Wherefore it is necessary that all the Episcopall evils and disorders be carefully avoided. And as we do not doubt the ensuing General Assembly will do what shall be fit for them to prevent the vilifying and contemning the Authority of Parliament, if it be found in danger to be vilified, so we humbly conceive they will not be unmindfull to prevent the vilifying and contemning of the authority of their own Commissioners.

The following clause in the Letter putteth over to the General Assembly any of the Ministry, who shall offer to stir up the Subiects of this Kingdom to disobey or
 ** deny

deny to give civill obedience to their Laws, it being expressly provided by the second and third Acts of King James 6. his 8. Parliament in Anno 1584. that none of his Majesties Subjects under the pain of Treason impugne the Authority of Parliament. Where first we shall desire that two known distinctions, which in this passage of the Letter seem either to be confounded or forgotten, may be remembred. Civill obedience to Acts of Parliament is either in things unlawfull and contrary to the Word of God, or in things lawfull and right. In the former case it is a sin to obey: in the latter case, a sin not to obey. Again the Authority of Parliament is one thing, an Act of Parliament another thing; We do still acknowledge their Authority when we obey not this or that Act. And whatsoever be the Treason of impugning the Authority of Parliament, it can be no Treason to obey God rather then man: Neither did the Generall Assembly of *Glasgow* 1638. and such as were active for the Covenant at that time commit any Treason when they impugned Episcopacy and *Perth* Articles, although ratified and strengthened by Acts of Parliament and standing Laws then unrepealed.

As to the two Acts cited in the Letter, if the Order of the Printed Acts be followed, the third hath nothing in it of what it is cited for, neither know we for what use it can be cited and applied, except to the abridging of the Liberties of Ecclesiasticall Assemblies, for it dischargeth all Judicatories and Judgements, Conventions and Assemblies Ecclesiasticall, without his Majesties speciall licence and Commandment,

ment, which how contrary it is to the word of God, to the example of the primitive Church, to the Judgement of sound Divines, to the Liberties of this Kirk, and to our Solemn Covenants, is more manifest then to need that we should insift upon it. But if the Order of the unprinted Acts be followed, the second of these Acts doth not mention the Authority of Parliament, but of his Majesty and his Counsell: However we are heartily sorry for the citation of the Acts of that Parliament, a Parliament which reintroduced Episcopacy, and so made defection from the Nationall Covenant sworn three years before: For Captain *James Stewart* then Earl of *Arran* and Chancellour, and the few Prelates of that time contrived and procured such Acts of Parliament as might serve their ends. The same Acts were alledged and urged by his Majesties Commissioner in *Anno 1638.* for Episcopacy, whereunto this Answer was made at that time, *The Acts of Parliament, 1584. are of severall natures, but they were protested against by the Ministers of Edinburgh in name of the Kirk of Scotland at the Market Crosse of Edinburgh when they were Proclaimed, and as they were made in that time which was called the houre of darknesse of this Kirk Tyrvanized over by the Earl of Arran, so are they repealed, 1542. Cap. 114.* It is not to be forgotten, That after the making of those Acts of Parliament they were so generally disliked by all good men, that the chief Courtiers of that time thought it necessary to employ Master *Patrick Adamson*, a chiefe diviser of these Acts to make a Declaration of the meaning thereof in his Majesties Name, which he accordingly

Orantation

performed. Concerning which Declaration the said Master Patrick pretended Archbishop of St. Andrews did afterwards in his ~~communion~~ make this Confession: *As where I am burthened to be the setter forth of a Book called the Kings Declaration wherein the whole Order of the Kirk is condemned and traduced, I protest before God, that so I was commanded to write the same by the Chancellour for the time, but chiefly by the Secretary, another great Courtier who himself penned the second Act of Parliament, concerning the Power and Authority of Judicatory to be absolute in the Kings Power, and that it should not be lawfull for any subject to reclaim from the same, under the penalty of the Act which I suppose was Treason.*

Beside that Declaration his Majestie himself having received a supplication from divers well affected Ministers with their Animadversions upon the said Acts of Parliament, did pen with his own hand another Declaration of the meaning thereof: But by both those Declarations it may be easily understood that the said Acts were intended for innovating and changing the Government and Discipline of this Kirk, for setting up Bishops, and for suppressing the best Ministers, and accordingly they were made use of afterwards for the ground of a charge against the Ministers that were banished.

It shall not be amisse here to insert that part of the Ministers Animadversions (given in to his Majesty at that time) which concerneth the second Act of that Parliament, the words are these. *As concerning*

ing the second Act the narration thereof appeareth to be
 slanderous against some of the Ministry which we would
 wish to be reformed or otherwise conceived, except the
 truth thereof were verified. And as to the substance of
 the act it self, it attributeth to your Majestie a Sovere-
 raign power of Judgement not onely upon the persons of
 your Subiects, but also in all matters wherein they or any
 of them shall be apprehended, summoned, or charged,
 &c. Which appeareth to be very strange, the like
 whereof we haue not to haue been practised in any Chri-
 stian Common-wealth, and cannot stand with the word
 of God, for although the persons of men are subiect to
 your Majesty and Civill Judges when they offend a-
 gainst your Laws, yet matters Ecclesiasticall and concern-
 ing conscience, no Christian Prince can justly claim nor
 ever claimed to himself such power to Judge. Seeing
 the Prince in this behalf is a member of the Kirk, and
 Jesus Christ onely the head, who only hath power to give
 Laws in matters of Conscience, and so said the godly
 Ambrose, Imperator bonus intra Ecclesiam non su-
 pra Ecclesiam est; And to confound the Jurisdiction,
 civill and Ecclesiastical, is that thing wherein men of
 all good Judgements haue justly found fault with, in
 the Pope of Rome, who claimeth to himself the power of
 both the swords, which is as great a fault to a Civill Ma-
 gistrate to claim and usurp, and especially to iudge upon
 Doctrine, Errors and Heresies, he not being placed in
 Ecclesiastical function to interpret the Scriptures, the
 warrants hereof out of the word of God we are likewise
 to bring forth.

Hereunto we shall adde a passage out of the recan-
 tation of Master Patrick Adamson subscribed with his
 hand

hand before famous witnesses and exhibit to the Synod of Fyffe. The passage is this. "There are contained
 " In that second Act of Parliament divers others false
 " intentions for to defame the Ministrie and to bring the
 " Kirk of God in hatred and envy with their Prince and
 " Nobility, burdening and accusing the Ministers falsely of
 " Sedition and other crimes whereof they were innocent,
 " (as likewise it is written in the samen Act and Declara-
 " tion thereof that Sovereign and Supream power per-
 " taineth to the King in matters Ecclesiasticall, which is
 " worthy to be condemned, and not to be contained among
 " Christian Acts, where the power of the word is to be ex-
 " tolled above all the power of Princes, and to be brought
 " under subiection to the samen.

~ The words of the second Printed Act cited on the third unprinted (so far as concerneth the purpose of the Letter) we finde to be thus: *That none of his Lieges or Subjects presume or take upon hand to impugn the dignity and the Authority of the saids three Estates, or to seek or procure the innovation or diminution of the Power and Authority of the same three estates or any of them in time coming under the pain of Treason.* These words we humbly conceive as they relate to the constitution of Parliament made of the three Estates and to the Authority thereof, being in that manner constituted, not to the obedience of their particular Acts, so if they be urged and pressed according to the meaning and intention of the Act before declared, they will conclude under Treason all who impugn the power and Authority of Bishops, Abbots and Priors as the third Estate of Parliament.

To the conclusion of the Letter we shall need to say but

but little, having already in other papers expressed our selves fully concerning the unsatisfactorines of their Lordships Declaration, and the unlawfulness of the present engagement; Which although it be pretended to be the same cause for which this Kingdom hath done and suffered so much, yet if it be remembred that the Kirks desires for the point of Religion are not granted, that the wel-affected who were most zealous in the cause from the beginning are generally against this engagement, that it is carried on by such as were for the most part dis-affected to the Cause in the beginning, and were against the former expeditions; that the Publick affairs are entrusted into many new hands, such as we cannot be confident of; These and the like considerations will quickly make it appear that the cause is not the same, but hugely different from what it was, and that the same grounds and principles which made us active in furthering the former expeditions, hinder us from furthering this.

A. Ker.

[illegible]

A. 15.



Edinb: 10. Junii 1648.

The humble

**ADVICE
AND
PETITION**

OF THE
COMMISSION of the GENERAL
ASSEMBLY,

To the Honourable ESTATES of
PARLIAMENT.

WHile we were about the preparing of our thoughts concerning the unsatisfactorinesse of a Paper communicat unto us from your Lordships upon *Wednesday*, being a draught of an Answer

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swer from the Parliament to the several Petitions of Presbyteries, Synods and Shires tendered to them: There was a motion made unto us from your Lordships by the Lord Lay and the Lord of ~~Cambridge~~, to wave a particular return unto that Paper, seeing it was not to be looked upon as the sense or minde of the Parliament, in respect that before the Parliament had taken it into debate or consideration they did think fit to communicat it to this Commission; and withall to desire that the Commission would be pleased to tender unto the Parliament their advise concerning the security of Religion in answer to the several Petitions presented to the Parliament of late from Synods, Presbyteries and Shires: Unto which motion we make this humble return.

For the first part of the motion; We are resolved to lay aside the consideration of that Paper, and to make no Representation of our thoughts thereupon, if your Lordships be pleased to make no further use thereof.

As for the other part of the motion, calling for our advise concerning an Answer to the Petitions presented from several Shires, Presbyteries and Synods unto the Parliament: Although we humbly conceive your Honours may clearly perceive what is our judgement by our Papers presented to your Lordships from time to time; yet being required we shall again faithfully and freely tender this our humble advise.

We call to record the searcher of all hearts, the Judge of the world, that our not concurring with your Lordships proceedings hitherto, hath not flowed from want of zeal against Sectaries, for the suppression of
of

of whom, and for the advancement of the work of Reformation, we are ready to hazard all in a lawfull way; Nor from any remissions in that which concerns his Majesties true Honour and happiness, and the preservation of Monarchical Governments in him and his Posterity; nor from any want of tenderness of the priviledges of Parliament; nor from want of Sympathie with our afflicted and oppressed Brethren in *England*; nor from partiall or sinistrus respect to any party or person whatsoever within the Kingdom; But from meer tenderness in the point of security of Religion, and the Union between the Kingdoms, and from the unsatisfactoriness of the grounds of your Lordships Declaration, as hath been expressed more at length in our Representation: Notwithstanding your Lordships, to our very great grief, have proceeded to a Levie, whereby most heavy burthens and pressures have been laid upon many faithfull Covenanters most forward in all former expeditions, and averse from this, only for want of satisfaction concerning the necessity and lawfulness thereof promised in your Lordships late Declaration, but not as yet performed.

It is therefore our humble advise that the abovementioned Petitions being so just in themselves, and flowing from the grounds aforesaid, as they ought in equity to have been granted, so they ought yet to be granted by the securing Religion, staying the present Levy, and according to our former desires by essaying Treaties with *England*, applications to his Majestie and all other fair and amicable wayes for removing the differences between the Kingdoms, before sending any forces to *England* or any other way of engagement in

War. And least the taking of *Berwick* and *Carlisle* (which is so scandalous to this Nation) be looked upon by *England* as a breach of union on your part; That your Lordships would be pleased to make it appear, that neither the Parliament, or any of your number have had any accession to the surprisall or supplying of these Towns, nor shall have any correspondence or compliance with these who have been actors therein.

We do also conceive it necessary for satisfaction of the Petitioners, That his Majesties late Concessions and offers concerning Religion may by your Lordships directly and positively be declared unsatisfactory to this present Parliament.

That albeit we would not be understood, as if we have had, or have, any thoughts of declining the restoring of his Majesty to the same condition he was in, by the agreement of both Kingdoms when he was taken away by a party of the Army under Sir *Thomas Fairfax*, that both Kingdoms may freely make their Applications to him; yet your Lordships would be pleased to Declare, That there shall be no engagement for restoring his Majesty to one of his Houses with Honour, Freedom and safety (which doth amount to no lesse then the restitution of his Majesty to the exercise of his Royall power, for the reasons holden forth in our late Representation never yet answered) before security and assurance be had from his Majesty by his solemn Oath under his hand and Seal; That he shall for Himself and his Successors, consent and agree to Acts of Parliament, enjoyning the League and Covenant, and fully establishing Presbyterian Government, Directory of worship, and Confession of Faith

Faith in all his Majesties Dominions, and that his Majesty shall never make opposition to any of these, or endeavour any change thereof.

That your Lordships will make it appear that you mean to be far from interesting your selves in any quarrell for his M. jesty, that may put in his Majesties hands such power, as may not only bring the by-gone proceedings of both Kingdoms in the League and Covenant in question, but also for the time to come make void all the Authority of Parliaments though proceeding never so rightly in reference to Religion and Liberties of the Kingdoms.

That a clear and direct course be laid down and declared not only to associate nor joyn in Counsels or Forces with the Popish, Prelatical or Malignant party, but also to oppose and effectually endeavour to suppress all such of them as have already risen or shall hereafter rise in Arms upon whatsoever pretence, as enemies to the Cause and Covenant on the one hand, as well as Sectaries on the other.

That nothing be done in carying on the Engagement, which may break the union of the Kingdoms, or may discourage or disoblige the Presbyterian party in *England*.

Because it is our grief, and the grief of all the Well-affected, that these who have been of constant and approved integrity in the Cause, and have been very instrumentall under God for our deliverance, should be forced for want of satisfaction to their consciences to leave the service; and that others who have not given constant proof of their integrity and faithfulness, and against whom there is just cause of exception and jealousy, so that we cannot exhort our Flocks to be
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confident of their fidelity, yea, and divers that have been in reall opposition to the Cause, are entrusted with the managing your Lordships publike resolutions: That therefore your Lordships will be pleased in your wisdom to provide a timely remedy herein.

That there be no Engagement, without a Solemn Oath, wherein the Kirk may have the same interest which they had in the solemn League and Covenant, the Cause being the same.

As we doe humbly insift with your Lordships for satisfaction to our former desires expressed in our former Papers, so it is our humble petition to your Lordships, That in such things as have been ordained by your Lordships and put in execution by your Order contrary to some of these desires, some effectuall remedy may be found out by your Lordships wisdom and goodnesse for the help thereof; That all who since the beginning of this Levie, through tenderesse of conscience, have suffered any wayes, may be repaired, all unusuall and grievous courses impoverishing good people and utterly disabling them to subsist, may be hereafter avoided, and the intolerable insolencie, prophane, blasphemies, & manifold outrages that of late have appeared in the Souldiers, may be severely punished and repressed; That no Ordinance nor Order may issue from your Lordships in prejudice of the liberties of the Kirk, and of the free exercise of any part of the Ministeriall calling, all which they have from Jesus Christ the only Head and Lawgiver in his Kirk, and which your Lordships are obliged by solemn oath in our Covenants to maintain: And that as it is our grief, that whilst your Lordships have been seeking
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our advice, you have been and are making grievous Acts, as we are informed; so we desire your Lordships in the fear of God to be wary of making or maintaining such Acts, and namely, That you put not the power of arbitrary Government in the hands of any intrusted by your Lordships, nor ordain any Oaths to be imposed or exacted, that may be snares to mens consciences.

All which we seriously recommend to your Lordships, as you desire not to provoke against your selves and your posterity the wrath of the most high God, and that the Lord should not avenge the quarrell of a broken Covenant upon the Parliament and Kingdom of *Scotland*. But if your Lordships shall be pleased to hearken to our humble advice, and to satisfie the consciences of the well-affected in the Kingdome to the work of Reformation, by granting their just desire; Your Honours shall be blessed of God, the Lord of the whole earth; the people of God shall blesse you in the name of the Lord, and blesse the Lord for you; You shall bind up the sores of this distressed and distracted Kingdom, endear the affections of all the well-affected, disappoint the designs of the disaffected, and your Names shall be a praise unto the present and succeeding generations; And we shall poure out our supplications before him, who sitteth and judgeth among Gods, to endue your Lordships with the Spirit of counsel and of the fear of his Name, that your Resolutions may be rightly ordered and tend to his glory, the security of Religion, the honour and happinesse of the King and his posterity, and the peace and safety of the Kingdomes.

A. K E R.